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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

FREEDOM FROM RELIGION
FOUNDATION, INC.,
P. O. Box 750
Madison, WI 53701,

Plaintiff,

vs.

CHIP WEBER, FLATHEAD NATIONAL
FOREST SUPERVISOR
UNITED STATES FOREST SERVICE
650 Wolfpack Way
Kalispell, Montana 59901,

Defendant.

Cause No. CV12-19-m-DLB

**DECLARATION OF
WILLIAM A. COX**

I, William A. Cox, do hereby declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following facts set forth below are true and correct to the best of my knowledge:

1. I live in Kalispell, Montana, 15 miles south of Whitefish, Montana. I am a member of the Freedom From Religion Foundation, Inc.
2. I am a frequent skier and I ski past the statue of Jesus on "Big Mountain" many times each winter. I most certainly plan to continue to ski on "Big Mountain" in the future, including this next winter, when I will again have exposure to the Jesus statue.
3. Shortly after the U.S. Forest Service denied the lease renewal for the land beneath the statue of Jesus on Big Mountain last year, proponents of the statue declared that it was a war memorial erected in recognition of the deeds of American servicemen during World War II.
4. Prior to the war memorial explanation that materialized last year, I had never heard or otherwise known that the statue was anything other than an absurd likeness of Jesus in a Roman Catholic style. I knew of no indication that the statue had originated as a war memorial.
5. Earlier this year, while skiing past the statue, I noted a small bronze plaque adjacent to the statue that I presume explains its origin and purpose. I do not know how long the plaque has been in place, but in any event, the statue is utterly inappropriate as a public war memorial. It is an unambiguously Christian religion monument with nothing about it to remind one of the heroism or the heartache of war.
6. As a rationalist and non-believer, I consider the statue of Jesus on public land to be ridiculous and offensive. It is a religious monument, conspicuously Roman Catholic in style, that belongs in the courtyard of a monastery or on the roof of a church, in my opinion.

7. As a regular skier, however, I do have frequent and unwanted contact and exposure to the statue when I am skiing on Big Mountain many times each winter, which I find to be offensive.

Dated this 8th day of August, 2012.



William A. Cox